

Governor's Office of Homeland Security



Fiscal Year 2009 Operation Stonegarden Grant Program

California Supplement Federal Program Guidance and Application Kit

December 11, 2008

STATE OF CALIFORNIA

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Table of Contents

	Page
Contact Information	4
Section 1 – Application Resources	5
Federal Program Guidance and Updates	5
Investment Justification Template	5
Press Release	5
Fact Sheet	5
Information Bulletins	5
California Supplement	5
Section 2 – Timeline	6
Grant Timeline	6
Section 3 – Overview	7
Funding Availability	7
Maximum Subgrant	7
Grant Performance Period	7
Review Criteria/Evaluation Process	7-8
Eligible Applicant	8
Eligible Subgrant Applicants	8
Eligible Activities	8
Section 4 – Subgrant Application Process	9
Subgrant Investment Justifications	9
Application Submittal	9
Eligible Costs	9
AEL and RKB Website	10
Non-Eligible Costs	10
Section 5 – Post DHS Award – Subgrant Applications	11
Subgrant Application Components	11
Subgrant Application Approval	11
Post Award Modifications	11
Subgrantee Performance Reports	12
Monitoring Subgrantee Performance	12
Suspension or Termination	13
Closeout	13
Payment Request Process	13
Financial Management and Reporting Workshops	13

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Section 1 – Application Resources

Federal Program Guidance and Updates

The U.S. Department of Homeland Security (US DHS) published the *Fiscal Year (FY) 2009 Operation Stonegarden (OPSG) Program Guidance and Application Kit* on November 5, 2008.

The *Guidance and Application Kit* may be obtained at:
<http://www.fema.gov/government/grant/opsg/index.shtm>

Operational Orders

The template for the Operational Orders can be obtained at:
<http://www.fema.gov/government/grant/opsg/index.shtm>

Press Release

The US DHS issued a Press Release announcing the *FY 2009 OPSG* on November 5, 2008.

The Press Release can be obtained at:
http://www.dhs.gov/xnews/releases/pr_1225900531284.shtm

Frequently Asked Questions

The US DHS issued a Frequently Asked Questions (FAQ) Sheet on the *FY 2009 OPSG* on November 5, 2008.

The FAQ Sheet can be obtained at:
http://www.fema.gov/doc/government/grant/opsg/fy_2009_opsg_faq.doc

California Supplement

The *California Supplement* to the Federal Program Guidance is intended to complement, rather than replace, the federal guidance published by the US DHS National Preparedness Directorate. It is recommended that applicants read thoroughly the federal guidance before referring to the State Supplement. Funding availability, eligible applicants, allowable costs and other key information is described in the federal guidance and application kit.

Section 2 – Timeline

FY 2009 OPSG Subgrantee Timeline

US DHS announcement of FY 2009 OPSG	November 5, 2008
FY 2008 OPSG California Supplement release	December 11, 2008
Operations Orders (Budgets Included) Due to OHS	January 13, 2009
SAA applications due	March 20, 2009
US DHS Award (no later than)	September 30, 2009
Grant Performance Period Begins	September 30, 2009*
Successful subgrantee applications due to OHS	October 30, 2009*
Subgrantee performance period ends	June 30, 2012*
Final requests for reimbursement due	June 30, 2012*
SAA Performance Period Ends	September 30, 2012*

*** Date approximate depending on US DHS award date**

Section 3 - Overview

Funding Availability The FY 2009 OPSG makes available \$60,000,000 nationwide. Funds are available to support operational efforts along our nation's land borders and international water borders. **FY 2009 OPSG funds cannot be supplanted for operations that are funded with other Federal funding sources, such as Coast Guard, Immigration and Customs Enforcement (ICE), Community Oriented Policing Services (COPS), Port Security Grant Program (PSGP), etc...**

Grant Performance Period Thirty-six (36) months from date of grant award to OHS.

Review Criteria /Evaluation Process The FY 2009 OPSG will use risk-based prioritization using U.S. Customs and Border Protection (CBP) Sector-specific border risk to include, but not limited to: threat, vulnerability, miles of border, and other border-specific "law enforcement intelligence." Each applicant's final funding allocation will be determined using a combination of the results of the risk analysis and feasibility of the Operations Orders.

Applications will be evaluated through a State and CBP/BP Sector Headquarters prioritization process for completeness and adherence to programmatic guidelines, as well as consideration of need and impact, followed by a Federal review process comprised of a panel of evaluators from components within FEMA and CBP/BP. The Operations Order requires an Executive Summary and narrative on Situation, Mission, Execution, Budget/Administration/Logistics, and Command/Control/Communications. This information will be used to evaluate the anticipated feasibility of the Operations Orders.

The following process will be used to make awards under the program:

State and CBP/BP Sector Headquarters Prioritization: Applications should be submitted by the local units of government at the county level or equivalent and Federally-recognized tribal governments to OHS no later than **11:59 PM EST, January 13, 2009** to ensure adequate time for a State review of the applications. As part of the FY 2009 OPSG application, FEMA will provide OHS with a template for the Prioritization of Operations Orders (in rank order). This will allow OHS, in coordination with the applicable CBP/BP Sector Headquarters to easily provide a prioritized list of applicants, ranked in consideration of two factors:

- Need – The relative need for the local unit of government compared to the other applicants
- Impact – The potential impact of the Operations Order on achieving maximum border protection results.

Review Criteria /Evaluation Process (cont.) FEMA directs OHS to adequately consider applications from Federally-recognized tribal governments in the prioritization process. The method by which OHS and CBP/BP Sector Headquarters chooses to review Operations Orders using the two factors is at the discretion of OHS and CBP/BP Sector Headquarters, provided the output of the Operations Order prioritization process is one list of prioritized Operations Orders submitted with the applicable Operations Orders. The Prioritization of Operations Orders must be submitted to FEMA with the applicable Operations Orders **no later than 11:59 PM EDT, March 20, 2009.**

Eligible Applicants OHS is the SAA for California and is the eligible grant applicant in the FY 2009 OPSG process.

Eligible Sub-Grant Applicants Local Units of government at the county level, as well as federally-recognized tribal governments may apply for funding from DHS through OHS for the FY 2009 OPSG program. Potential applicants/counties located north of San Diego County, along the California coast, should contact the DHS/CBP Border Patrol San Diego Sector Headquarters, for information regarding FY2009 OPSG application. The points of contact for DHS/CPB Border Patrol San Diego Sector are as follows:

Michael D. Gregg

Chief Border Patrol Operations Officer
DHS/CBP Border Patrol
San Diego Sector Headquarters
(619) 216-4045 (office)
Email: michael.d.gregg@dhs.gov

Steven Goldkrantz

Supervisory Border Patrol Agent
DHS/CBP Border Patrol
San Diego Sector Headquarters
(619) 216-4118
Email: steven.goldkrantz@dhs.gov

Eligible Activities **Since awards will be made by the ranking of Operations Orders, based on risk factors, not all applicants will receive FY 2009 OPSG funds. FY 2009 OPSG funds may not be used to supplant any port security grants.**

Final review and award determinations will be made by US DHS.

The spirit and intent of this grant is to focus on operational aspects of enhancing coordination between Federal, State, tribal and local law enforcement agencies to increase the security of the U.S. Borders. While equipment is an allowable expense, the FY 2009 OPSG is not intended to be an equipment centric grant.

Section 4 – Subgrant Application Process

Subgrant Investment Justifications Eligible border Counties must submit Operations Orders to OHS by the due date as shown on the timeline on page six. Please include the Budget within the Operations Orders. Operations Orders must be posted electronically on the Office for Domestic Preparedness (ODP) Secure Portal utilizing the template in the FY 2009 OPSG Federal Guidance (**found on pages 10-13 of the OPSG Federal Guidance**).

Operational Order Submittal Submit completed Operations Orders on to OPD Secure Portal at: <https://preparednessportal.dhs.gov>

NOTE: New applicants must register with ODP before posting their Investment Justifications in order to receive a Login name and Password.

Step 1: Register and/or Login to ODP Secure Portal

Step 2: Click on 'Library' link

Step 3: Click on 'FY 2009 OPSG' folder.

Step 4: To upload the Operations Order, click 'Upload Document'.

OHS will submit the application for California via Grants.Gov by the application due date.

Eligible Costs Operational Overtime (no more than 50 percent of the total award)
Operational costs associated with law enforcement activities, in support of border law enforcement agencies for increased border security enhancement. Per the *Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act* (Public Law 110-412), all grantees are allowed to utilize up to 50 percent of FY 2009 OPSG funding for personnel related costs, which include overtime activities. At the request of the recipient a grant, the Administrator may grant a waiver of the 50 percent limitation.

Travel and Per Diem

Travel and per diem costs associated with the deployment/redeployment of personnel to border areas and for travel associated with law enforcement entities assisting other local jurisdictions in law enforcement activities. (travel costs must be in accordance with applicable travel regulations)

Vehicle/Equipment Rentals

Vehicle/Equipment Maintenance

Fuel Cost and/or Mileage Reimbursement

Eligible Costs (cont.)	<p><u>Equipment</u></p> <p>FY 2009 OPSG funds may be used for equipment replacement costs and acquisition of equipment listed under the Urban Areas Security Initiative (UASI) and Law Enforcement Terrorism Prevention equipment categories found in the Authorized Equipment List (AEL). The FY 2009 AEL is available in its entirety online through the Responder Knowledge base (RKB) at http://www.rkb.us/</p>
Non-Eligible Costs	<p><u>Unallowable Costs</u></p> <p>Unallowable costs include costs associated with staffing and general IT computing equipment, and hardware such as personal computers, faxes, copy machines, modems, etc. The FY 2009 OPSG is not intended as a hiring program. Therefore, applying funds toward hiring full-time or permanent sworn public safety officers is also unallowable. FY 2009 OPSG funding shall not be used to supplant inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local and Federal law enforcement agencies. Applicants should contact their Federal Emergency Management Agency (FEMA) Preparedness Officer at (800) 368-6498 for guidance and clarification. Finally, construction and/or renovation costs are prohibited under this grant application.</p> <p><u>Management and Administrative (M&A) Costs</u></p> <p>Management and Administrative costs are not allowable under the FY 2009 OPSG.</p>

Section 5 - Post DHS Award - Subgrant Application

Subgrant Application Components

Successful applicants will be required to submit applications to OHS prior to final award of grant funds.

A completed application will include all of the following components.

- **Completed OHS Financial Management Forms Workbook**
 - Submitted electronically to the ODP Secure Portal
 - Application Cover Sheet
 - Grant Management Roster
 - Project Ledger
 - Project Description
 - Equipment Inventory Ledger
 - Training Roster
 - Authorized Agent form with appropriate signatures
- **Governing Body Resolution – Mailed**
- **Signed Original Grant Assurances – Mailed**

The **Financial Management Forms Workbook** can be found at http://www.ohs.ca.gov/grants_fiscal_reporting.html

Subgrant Application Approval

The subgrantee will receive written notice of OHS approval of the subgrant application.

Post Award Modifications

Post award budget, scope and time modifications must be requested using the **OHS Financial Management Forms Workbook**, by the subgrantee's Authorized Agent, and submitted to the subgrantee's Program Representative in the Grant Administration Unit of OHS. Upon approval the subgrantee will be instructed to make the required changes in the National Preparedness Directorate's Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov> .

The subgrantee may implement the modifications, and incur associated expenses, **after** receiving **written final approval** of the modification from OHS.

NOTE: Modifications can be requested once per quarter during the grant performance period. Failure to submit modification requests, and receive written approval prior to expenditure, could result in a reduction or disallowance of that part of the grant.

Subgrantee Performance Reports	Subgrantees must prepare and submit performance reports to OHS for the duration of the grant performance period, or until all grant activities are completed and the grant is formally closed. Subgrantees must complete a Biannual Strategy Implementation Report using the Grant Reporting Tool (GRT), at https://www.reporting.odp.dhs.gov/ and will also be required to submit additional information and data requested by OHS.
Monitoring Subgrantee Performance	<p>OHS is currently conducting a program of subgrantee monitoring. The monitoring will be conducted on the subgrantees administrative, programmatic and fiscal management of the grant(s).</p> <p>These reviews may include, but are not limited to:</p> <ul style="list-style-type: none"> • Eligibility of expenditures • Comparing actual subgrantee activities to those approved in the subgrant application and subsequent modifications, if any. • Ensuring that advances have been disbursed in accordance with applicable guidelines. • Confirming compliance with: <ul style="list-style-type: none"> – Grant Assurances. – Information provided on performance reports and payment requests. – Needs and threat assessments and strategies.
Suspension or Termination	<p>OHS may suspend or terminate subgrant funding, in whole or in part, or other measures may be imposed for any of the following reasons:</p> <ul style="list-style-type: none"> • Failing to expend funds in a timely manner consistent with the grant milestones, guidance and assurances. • Failing to comply with the requirements or statutory objectives of federal or state law. • Failing to make satisfactory progress toward the goals or objectives set forth in the subgrant application. • Failing to follow grant agreement requirements or special conditions. • Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding. • Failing to submit required reports. • Filing a false certification in the application or other report or document. • Failing to adequately manage, monitor or direct the grant funding activities of their subrecipients. <p>Before taking action, OHS will provide the subgrantee reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.</p>

Closeout

OHS will close a subgrantee award after:

- Receiving a subgrantee Performance Report indicating that all approved work has been completed, and all funds have been disbursed;
- Completing a review to confirm the accuracy of reported information; and
- Reconciling actual costs to awards, modifications and payments.

If the closeout review and reconciliation indicates that the subgrantee:

- Is owed additional funds, OHS will send the final payment automatically to the subgrantee.
- Did not use all funds received, OHS will issue an Invoice or Grant Modification letter to recover unused funds.

In the **Grant Closeout letter**, OHS will notify the subgrantee of the start of the record retention period for all programmatic and financial grant related records.

NOTE: Failure to maintain all grant records for the required retention period could result in a reduction of eligible grant activities, and an invoice to return costs associated with the unsupported activities.

Payment Request Process

To request reimbursement payment of FY 2009 OPSG funds, complete a payment request form using the OHS Financial Management Forms Workbook and return it to the appropriate Program Representative in the Grant Administration Unit at OHS.

OHS Financial Management Forms Workbook

http://www.ohs.ca.gov/grants_fiscal_reporting.html

NOTE: Payments can only be made if the subgrantee has an approved application, valid Governing Body Resolution and valid Grant Assurance form.

Financial Management and Reporting Workshops

OHS conducts regular workshops on grants management, financial management and grant reporting. Please contact your OHS Program Representative for more information.